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OCT 27 2008

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PRE-APPEAL BRIEF REQUEST FOR REVIEW	Docket Number (Optional)  0630-1953P
	Application Number 10/772,315-Conf. #6483
	Filed February 6, 2004
	First Named Inventor Jae-Dong YOON et al.
	Art Unit 1791
	Examiner M. V. Ewald
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>39,538</u></p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____</p> <p style="text-align: right;"> _____ Signature _____ James T. Eller, Jr. Typed or printed name</p> <p style="text-align: right;"><u>(703) 205-8000</u> Telephone number <u>October 27, 2008</u> Date</p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p> <p><input type="checkbox"/> *Total of <u>1</u> forms are submitted.</p>	

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OCT 27 2008

PATENT  
0630-1953P

## IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Jae-Dong YOON et al. Conf. No.: 6483  
Application No.: 10/772,315 Group: 1791  
Filed: February 6, 2004 Examiner: M.V. Ewald  
For: INJECTION MOLD, MOLDING SYSTEM HAVING INJECTION MOLD,  
METHOD THEREOF, AND MOLDED PRODUCT

**REQUEST FOR A PRE-APPEAL BRIEF CONFERENCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby request a pre-appeal brief conference with respect to the Office Action dated June 27, 2008, in which pending claims 1-15 and 23-26 continue to be rejected. A Notice of Appeal is being filed herewith.

JTE/RJW/jmc

Application No.: 10/772,315  
Art Unit 1722

Attorney Docket No. 0630-1953P  
Request for a Pre-Appeal Brief Conference  
Page 2

## ARGUMENTS

I. Initially, Applicants note that MPEP §§ 706.02(I) and 904.03 clearly require the Examiner to select and apply only the best reference in rejecting the pending claims. The final Office Action does not do this, however. Instead, it cites and applies, four separate, different rejections of the pending claims under 35 USC §102(b) /103(a). All claims rejected in rejections "IV" and "V", as argued below, are rejected in rejections "II." and "III", as argued below. This is improper and for this reason alone, either rejections "IV." and "V.", or rejections "II." and "III", should be withdrawn.

II. Claims 1-6, 8, 12-15, 24 and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 3,544,518 to Bodkins et al. ("Bodkins") in view of U.S. Patent 6,419,476 to Ouellette and further in view of U.S. Patent 6,422,857 to Wright et al., ("Wright").

Applicants traverse this rejection for reasons stated in the September 29, 2008 Amendment, from page 11, line 9 to page 14, line 1, the subject matter of which is incorporated herein by reference thereto. An abbreviated summary of this traversal is set forth, below:

These rejections improperly assume that Bodkins insulating material 3, 3' reduces a flow resistance between inner walls and the fluid so as to accelerate the flow of the fluid injected into the injection mold. While the insulating material 3, 3' may provide insulation, there is no explicit or inherent (i.e., necessarily discloses) teaching or suggestion of "reducing a flow resistance between the inner walls and the fluid so as to accelerate flow of the fluid injected into the injection mold." The two secondary references applied in this rejection, i.e., Ouellette and Wright, fail to specifically take into consideration flow characteristics, such as, for example, flow resistance, occurring between the fluid and the injection mold.

Additionally, the Wright injection gate 26 (as the term "gate" denotes) is merely the entrance opening of the cavity 16, and thus does not and cannot "extend through" the cavity 16. Also, Wright actually teaches away from Applicant's claimed invention, because the very

JTE/RJW/jmc

Application No.: 10/772,315  
Art Unit 1722

Attorney Docket No. 0630-1953P  
Request for a Pre-Appeal Brief Conference  
Page 3

presence of the insert 30 located between the nozzle 12 and the injection cavity 16 precludes the need for any insulation coating to be formed on the surfaces of the injection gate 26.

III. Claims 1-12, 15 and 24-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 4,255,109 to Yotsutsuji et al. ("Yotsutsuji") in view of Ouellette and further in view of Wright.

Applicants respectfully traverse this rejection for reasons presented in their September 29, 2008 Amendment from page 14, line 9 to page 1, line 1, which are incorporated by reference thereto. An abbreviated summary of this traversal appears below:

Yotsutsuji admittedly does not disclose a fixed mold having a passage extending through the mold, the passage having inner walls for injecting a fluid therethrough and into an internal space and a flow accelerating material means provided on the inner walls of the passage, as claimed. Yotsutsuji's passage 47-49, for example, is disclosed as having no coating whatsoever, let alone a flow accelerating coating. Nor does Ouellette disclose the positively recited feature of a fixed mold having a passage extending through the mold, the passage having an inner wall for injecting a fluid therethrough and an internal space and a flow accelerating material means provided on the inner walls of the passage. Thus, no matter how these two references are combined, they will not disclose, suggest, or otherwise render obvious the claimed invention.

Additionally, the **Wright** injection gate 26 (as the term "gate" denotes) is merely the entrance opening of the cavity 16, and thus does not and cannot "extend through" the cavity 16. Also, **Wright** actually teaches away from Applicant's claimed invention, because the very presence of the insert 30 located between the nozzle 12 and the injection cavity 16 precludes the need for any insulation coating to be formed on the surfaces of the injection gate 26.

Thus, Wright provides no proper basis on which to modify Yotsutsuji to arrive at, suggest, or otherwise render obvious the claimed invention.

JTE/RJW/jmc

Application No.: 10/772,315  
Art Unit 1722

Attorney Docket No. 0630-1953P  
Request for a Pre-Appeal Brief Conference  
Page 4

IV. Claims 1-3, 5, 12-15, 24 and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 4,201,742 to Hendry in view of Ouellette and further in view of Wright. An abbreviated summary of this rejection appears below:

Applicants traverse this rejection based on their remarks in the September 29, 2008 Amendment, from page 15, line 17 to page 17, line 10, the subject matter of which is incorporated herein by reference thereto,

Neither Hendry (the primary reference) nor Ouellette (one secondary reference) discloses the positively recited feature of a fixed mold having a passage extending though the mold, the passage having an inner wall for injecting a fluid therethrough and an internal space and a flow accelerating material means provided on the inner walls of the passage. Thus, no matter how these two references are combined, they will not disclose, suggest, or otherwise render obvious the claimed invention.

V. Claims 1-3, 8 and 12-15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,362,226 to Kataoka, et al. ("Kataoka") in view of Ouellette and further in view of Wright. Applicants traverse this rejection based on their remarks in the September 29, 2008 Amendment, from page 17, line 19 to page 19, last line, the subject matter of which is incorporated herein by reference thereto. An abbreviated summary of this rejection appears below:

Kataoka relates to plating the cavity wall of the mold body with chromium and/or nickel, and then coating a thin layer of synthetic resin (polyimide), which results in the desired molded articles to be formed. Kataoka admittedly does not disclose using a flow accelerating means provided on the inner space of a mold passage or a passage extending through the mold. Instead, the coating 4 is only applied inside the mold cavity on one wall. Neither do Ouellette or Wright. Thus, no matter how these three references are combined, they will not disclose, suggest, or otherwise render obvious the claimed invention. Moreover, Wright actually teaches away from Applicant's claimed invention, for reasons discussed above with respect to the traversal of Rejection A.

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Application No.: 10/772,315  
Art Unit 1722

OCT 27 2008

Attorney Docket No. 0630-1953P  
Request for a Pre-Appeal Brief Conference  
Page 5

**CONCLUSION**

Accordingly, all outstanding rejections are improper and should be reversed.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Date: October 27, 2008

Respectfully Submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

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